

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

FERGUSON ENTERPRISES, INC. OF VIRGINIA     )  
d/b/a FERGUSON ENTERPRISES, INC.,         )  
Plaintiff,   )

v.   )

CASE NO.: 1:06 CV 00288

CLEAR-WATER PLUMBING COMPANY OF         )  
NORTH CAROLINA, INC., PHILLIP B. SMITH,   )  
C. CONSTRUCTION CO., INC. and XL SPECIALTY )  
INSURANCE COMPANY,                            )  
Defendants.   )

**ENTRY OF DEFAULT**

Upon motion and affidavit for entry of default filed by counsel for Plaintiff and because Defendant Clear-Water Plumbing Company of North Carolina, Inc. ("Clear-Water") has failed to plead, or otherwise defend, default is entered against Defendant Clear-Water as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

This the 5<sup>th</sup> day of June, 2006.

/s/ John S. Brubaker  
Clerk, U.S. District Court